IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 3059 of 2007()

ST.484/2005 of J.M.F.C.-I,PALAKKAD
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PETITIONER/ACCUSED:

ANILKUMAR.P.V., S/O.P.V.PARUKUTTY AMMA,
PUTHENVEETTIL, MANNAMPOTTA (PO),
SREEKRISHNAPURAM, PALAKKAD DISTRICT.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS: COMPLAINANT AND STATE:
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1. **M/S.HEMAMBIKA HIRE PURCHASER AND LEASING (P) LTD., ENNAKKOTTIL STREET, BIG BAZAR, PALAKKAD, REPRESENTED BY ITS MANAGER A. DIVAKARAN.**

2. **STATE OF KERALA, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3059 OF 2007

Dated this the 23rd day of May, 2007

O R D E R

Petitioner, who is the accused in S.T. No.484/05 of JFCM-I, Palakkad for an offence punishable under Sec.138 of the Negotiable Instruments Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in S.T. No.484/05 on the file of the J.F.C.M.-I, Palakkad, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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